

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: James M. Proctor, Jr.

Application No.: 10/767,843 Group: 2661

Filed: January 29, 2004 Examiner: Not assigned

Confirmation No.: 2970

For: Method for Compensating for Multi-Path of a CDMA Reverse Link Utilizing An Orthogonal Channel Structure



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

on Aug. 13, 2004 Elaine Leahy
Date Signature

Elaine Leahy

Typed or printed name of person signing certificate

PETITION UNDER 37 C.F.R. § 1.47(a) AND TRANSMITTAL
OF DECLARATION

Mail Stop MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

InterDigital Communications Corp. hereby petitions that the above-captioned application be accepted under 37 C.F.R. § 1.47(a). The petition fee required under 37 C.F.R. § 1.17(h) is provided herewith.

The inventor James A. Proctor, Jr. has not returned a signed Declaration for the above-referenced patent application despite attempts.

On January 29, 2004, the application materials for the above-referenced application, including the specification, claims, abstract, and drawings ("the application papers") were deposited with the U.S. Postal Service under 37 C.F.R. § 1.10.

On June 16, 2004, I forwarded a copy of all the application papers, including a Declaration to Mr. James A. Proctor, Jr. at his last known address. The documents were sent to the inventor by First Class Mail. A copy of my letter is attached hereto as Exhibit A.

On July 21, 2004, I again forwarded a copy of the application papers, including a Declaration to Mr. Proctor at his last known address, by First Class Mail. A copy of this letter is attached hereto as Exhibit B.

Mr. Proctor, as of this date has still not returned the executed documents despite attempts to obtain his signature.

The last known address of Mr. James A. Proctor, Jr. is:

258 Sea View Street
Melbourne Beach, FL 32951

This petition is being submitted herewith in response to the Notice to File Missing Parts dated June 15, 2004. A copy of the Notice is enclosed.

The attached check in the amount of \$1048 includes payment of the filing fees, surcharge, and fee required under 37 C.F.R. §1.17(h).

Please charge any additional fees due in this matter to Applicants' Attorney Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH AND REYNOLDS, P.C.

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Dated: 8/13/04